

## GUEST ESSAY

# I'm a Genocide Scholar. I Know It When I See It.

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By **Omer Bartov**

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A month after the Hamas attack on Israel on Oct. 7, 2023, I believed there was evidence that the Israeli military had committed war crimes and potentially crimes against humanity in its counterattack on Gaza. But contrary to the cries of Israel's fiercest critics, the evidence did not seem to me to rise to the crime of genocide.

By May 2024, the Israel Defense Forces had ordered about one million Palestinians sheltering in Rafah — the southernmost and last remaining relatively undamaged city of the Gaza Strip — to move to the beach area of the Mawasi, where there was little to no shelter. The army then proceeded to destroy much of Rafah, a feat mostly accomplished by August.

At that point it appeared no longer possible to deny that the pattern of I.D.F. operations was consistent with the statements denoting genocidal intent made by Israeli leaders in the days after the Hamas attack. Prime Minister Benjamin Netanyahu had promised that the enemy would pay a “huge price” for the attack

and that the I.D.F. would turn parts of Gaza, where Hamas was operating, “into rubble,” and he called on “the residents of Gaza” to “leave now because we will operate forcefully everywhere.”

Mr. Netanyahu had urged his citizens to remember “what Amalek did to you,” a quote many interpreted as a reference to the demand in a biblical passage calling for the Israelites to “kill alike men and women, infants and sucklings” of their ancient enemy. Government and military officials said they were fighting “human animals” and, later, called for “total annihilation.” Nissim Vaturi, the deputy speaker of Parliament, said on X that Israel’s task must be “erasing the Gaza Strip from the face of the earth.” Israel’s actions could be understood only as the implementation of the expressed intent to make the Gaza Strip uninhabitable for its Palestinian population. I believe the goal was — and remains today — to force the population to leave the Strip altogether or, considering that it has nowhere to go, to debilitate the enclave through bombings and severe deprivation of food, clean water, sanitation and medical aid to such an extent that it is impossible for Palestinians in Gaza to maintain or reconstitute their existence as a group.

My inescapable conclusion has become that Israel is committing genocide against the Palestinian people. Having grown up in a Zionist home, lived the first half of my life in Israel, served in the I.D.F. as a soldier and officer and spent most of my career researching and writing on war crimes and the Holocaust, this was a painful conclusion to reach, and one that I resisted as long as I could. But I have been teaching classes on genocide for a quarter of a century. I can recognize one when I see one.

This is not just my conclusion. A growing number of experts in genocide studies and international law have concluded that Israel’s actions in Gaza can only be defined as genocide. So has Francesca Albanese, the U.N. special rapporteur for the West Bank and Gaza, and Amnesty International. South Africa has brought a genocide case against Israel at the International Court of Justice.



Jehad Alshrafi/Associated Press

The continued denial of this designation by states, international organizations and legal and scholarly experts will cause unmitigated damage not just to the people of Gaza and Israel but also to the system of international law established in the wake of the horrors of the Holocaust, designed to prevent such atrocities from happening ever again. It is a threat to the very foundations of the moral order on which we all depend.

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The crime of genocide was defined in 1948 by the United Nations as the “intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such.” In determining what constitutes genocide, therefore, we must both establish intent and show that it is being carried out. In Israel’s case, that intent has been publicly expressed by numerous officials and leaders. But intent can also be derived from a pattern of operations on the ground, and this pattern became clear by May 2024 — and has since become ever clearer — as the I.D.F. has systematically destroyed the Gaza Strip.

Most genocide scholars are cautious about applying this term to contemporary events, precisely because of the tendency, since it was coined by the Jewish-Polish lawyer Raphael Lemkin in 1944, to attribute it to any case of massacre or inhumanity. Indeed, some argue that the categorization should be entirely discarded, because it often serves more to express outrage than to identify a particular crime.

Yet as Mr. Lemkin recognized, and as the United Nations later agreed, it is crucial to be able to distinguish the attempt to destroy a particular group of people from other crimes under international law, such as war crimes and crimes against humanity. This is because, while other crimes entail indiscriminate or deliberate killing of civilians as individuals, genocide denotes the killing of people as members of a group, geared at irreparably destroying the group itself so that it would never be able to reconstitute itself as a political, social or cultural entity. And, as the international community signaled by adopting the convention, it is incumbent upon all signatory states to prevent such an attempt, to do all they can to stop it while it is occurring and to subsequently punish those who were engaged in this crime of crimes — even if it occurred within the borders of a sovereign state.

The designation has major political, legal and moral ramifications. Nations, politicians and military personnel suspected of, indicted on a charge of or found guilty of genocide are seen as beyond the pale of humanity and may compromise or lose their right to remain members of the international community. A finding by the International Court of Justice that a particular state is engaged in genocide, especially if enforced by the U.N. Security Council, can lead to severe sanctions.

Politicians or generals indicted on a charge of or found guilty of genocide or other breaches of international humanitarian law by the International Criminal Court can face arrest outside of their country. And a society that condones and is complicit in genocide, whatever the stand of its individual citizens may be, will carry this mark of Cain long after the fires of hatred and violence are put out.

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Israel has denied all allegations of war crimes, crimes against humanity and genocide. The I.D.F. says it investigates reports of crimes, although it has rarely made its findings public, and when breaches of discipline or protocol are acknowledged, it has generally meted light reprimands to its personnel. Israeli military and political leaders repeatedly describe the I.D.F. as acting lawfully, say they issue warnings to civilian populations to evacuate sites about to be attacked and blame Hamas for using civilians as human shields.

In fact, the systematic destruction in Gaza not only of housing but also of other infrastructure — government buildings, hospitals, universities, schools, mosques, cultural heritage sites, water treatment plants, agriculture areas, and parks — reflects a policy aimed at making the revival of Palestinian life in the territory highly unlikely.

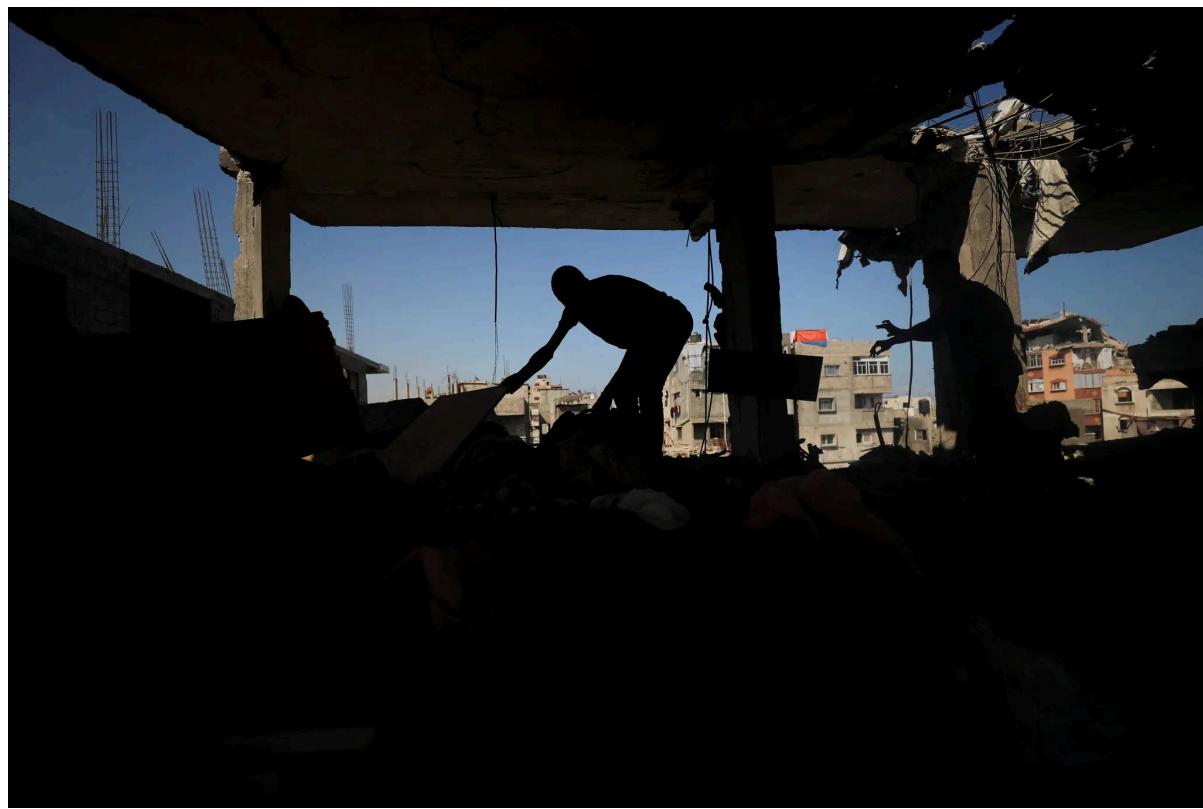
According to a recent investigation by Haaretz, an estimated 174,000 buildings have been destroyed or damaged, accounting for up to 70 percent of all structures in the Strip. So far, more than 58,000 people have been killed, according to Gazan health authorities, including more than 17,000 children, who make up nearly a third of the total fatality count. More than 870 of those children were less than a year old.

More than 2,000 families have been wiped out, the health authorities said. In addition, 5,600 families now count only one survivor. At least 10,000 people are believed to still be buried under the ruins of their homes. More than 138,000 have been wounded and maimed.

Gaza now has the grim distinction of having the highest number of amputee children per capita in the world. An entire generation of children subjected to ongoing military attacks, loss of parents and long-term malnutrition will suffer severe physical and mental repercussions for the rest of their lives. Untold additional thousands of chronically ill persons have had little access to hospital care.

The horror of what has been happening in Gaza is still described by most observers as war. But this is a misnomer. For the last year, the I.D.F. has not been fighting an organized military body. The version of Hamas that planned and carried out the attacks on Oct. 7 has been destroyed, though the weakened group continues to fight Israeli forces and retains control over the population in areas not held by the Israeli Army.

Today the I.D.F. is primarily engaged in an operation of demolition and ethnic cleansing. That's how Mr. Netanyahu's own former chief of staff and minister of defense, the hard-liner Moshe Yaalon, in November described on Israel's Democrat TV and in subsequent articles and interviews the attempt to clear northern Gaza of its population.



Mahmoud Issa/Reuters

On Jan. 19, under pressure from Donald Trump, who was a day away from resuming the presidency, a cease-fire went into effect, facilitating the exchange of hostages in Gaza for Palestinian prisoners in Israel. But following Israel's breaking of the cease-fire on March 18, the I.D.F. has been executing a well-publicized plan to

concentrate the entire Gazan population in a quarter of the territory in three zones: Gaza City, the central refugee camps and the Mawasi coastline in the Strip's southwestern edge.

Using large numbers of bulldozers and huge aerial bombs supplied by the United States, the military appears to be trying to demolish every remaining structure and establish control over the other three-quarters of the territory.

This is also being facilitated by a plan that provides — intermittently — limited aid supplies at a few distribution points guarded by the Israeli military, drawing people to the south. Many Gazans are killed in a desperate attempt to obtain food, and the starvation crisis deepens. On July 7, Defense Minister Israel Katz said the I.D.F. would build a “humanitarian city” over the ruins of Rafah to initially accommodate 600,000 Palestinians from the Mawasi area, who would be provisioned by international bodies and not allowed to leave.

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Some might describe this campaign as ethnic cleansing, not genocide. But there is a link between the crimes. When an ethnic group has nowhere to go and is constantly displaced from one so-called safe zone to another, relentlessly bombed and starved, ethnic cleansing can morph into genocide.

This was the case in several well-known genocides of the 20th century, such as that of the Herero and Nama in German South West Africa, now Namibia, that began in 1904; the Armenians in World War I; and, indeed, even in the Holocaust, which began with the German attempt to expel the Jews and ended up with their murder.

To this day, only a few scholars of the Holocaust, and no institution dedicated to researching and commemorating it, has issued a warning that Israel could be accused of carrying out war crimes, crimes against humanity, ethnic cleansing or genocide. This silence has made a mockery of the slogan “Never again,” transforming its meaning from an assertion of resistance to inhumanity wherever it is perpetrated to an excuse, an apology, indeed, even a carte blanche for destroying others by invoking one’s own past victimhood.

This is another of the many incalculable costs of the current catastrophe. As Israel is literally trying to wipe out Palestinian existence in Gaza and is exercising increasing violence against Palestinians in the West Bank, the moral and historical credit which the Jewish State has drawn on until now is running out.

Israel, created in the wake of the Holocaust as the answer to the Nazi genocide of the Jews, has always insisted that any threat to its security must be seen as potentially leading to another Auschwitz. This provides Israel with license to portray those it perceives as its enemies as Nazis — a term used repeatedly by Israeli media figures to depict Hamas and, by extension, all Gazans, based on the popular assertion that none of them are “uninvolved,” not even the infants, who would grow up to be militants.

This is not a new phenomenon. As early as Israel’s invasion of Lebanon in 1982, Prime Minister Menachem Begin compared Yasir Arafat, then hunkered down in Beirut, to Adolf Hitler in his Berlin bunker. This time, the analogy is being used in connection with a policy aimed at uprooting and removing the entire population of Gaza.

The daily scenes of horror in Gaza, from which the Israeli public is shielded by its own media’s self-censorship, expose the lies of Israeli propaganda that this is a war of defense against a Nazi-like enemy. One shudders when Israeli spokespeople shamelessly utter the hollow slogan of the I.D.F. being the “most moral army in the world.”

Some European nations, such as France, Britain and Germany, as well as Canada, have feebly protested Israeli actions, especially since it breached the cease-fire in March. But they have neither suspended arms shipments nor taken many concrete and meaningful economic or political steps that might deter Mr. Netanyahu’s government.

For a while, the United States government seemed to have lost interest in Gaza, with President Trump initially announcing in February that the United States would take over Gaza, promising to turn it into “the Riviera of the Middle East,” and then letting Israel get on with the Strip’s destruction and turning his attention

to Iran. At the moment, one can only hope that Mr. Trump will again pressure a reluctant Mr. Netanyahu to at least reach a new cease-fire and put an end to the relentless killing.

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How will Israel's future be affected by the inevitable demolition of its incontestable morality, derived from its birth in the ashes of the Holocaust?

Israel's political leadership and its citizenry will have to decide. There seems to be little domestic pressure for the urgently needed change of paradigm: the recognition that there is no solution to this conflict other than an Israeli-Palestinian agreement to share the land under whatever parameters the two sides agree on, be it two states, one state or a confederation. Robust external pressure from the country's allies also appears unlikely. I am deeply worried that Israel will persist on its disastrous course, remaking itself, perhaps irreversibly, into a full-blown authoritarian apartheid state. Such states, as history has taught us, do not last.

Another question arises: What consequences will Israel's moral reversal have for the culture of Holocaust commemoration, and the politics of memory, education and scholarship, when so many of its intellectual and administrative leaders have up to now refused to face up to their responsibility to denounce inhumanity and genocide wherever they occur?

Those engaged in the worldwide culture of commemoration and remembrance built around the Holocaust will have to confront a moral reckoning. The wider community of genocide scholars — those engaged in the study of comparative genocide or of any one of the many other genocides that have marred human history — is now edging ever closer toward a consensus over describing events in Gaza as a genocide.

In November, a little more than a year into the war, the Israeli genocide scholar Shmuel Lederman joined the growing chorus of opinion that Israel was engaged in genocidal actions. The Canadian international lawyer William Schabas came to the

same conclusion last year and has recently described Israel's military campaign in Gaza as "absolutely" a genocide.

Other genocide experts, such as Melanie O'Brien, president of the International Association of Genocide Scholars, and the British specialist Martin Shaw (who has also said that the Hamas attack was genocidal), have reached the same conclusion, while the Australian scholar A. Dirk Moses of the City University of New York described these events in the Dutch publication NRC as a "mix of genocidal and military logic." In the same article, Uğur Ümit Üngör, a professor at the Amsterdam-based NIOD Institute for War, Holocaust and Genocide Studies, said there are probably scholars who still do not think it's genocide, but "I don't know them."

Most Holocaust scholars I know don't hold, or at least publicly express, this view. With a few notable exceptions, such as the Israeli Raz Segal, program director of Holocaust and genocide studies at Stockton University in New Jersey, and the Hebrew University of Jerusalem historians Amos Goldberg and Daniel Blatman, the majority of academics engaged with the history of the Nazi genocide of the Jews have stayed remarkably silent, while some have openly denied Israel's crimes in Gaza, or accused their more critical colleagues of incendiary speech, wild exaggeration, well poisoning and antisemitism.

In December the Holocaust scholar Norman J.W. Goda opined that "genocide charges like this have long been used as a fig leaf for broader challenges to Israel's legitimacy," expressing his worry that "they have cheapened the gravity of the word genocide itself." This "genocide libel," as Dr. Goda referred to it in an essay, "deploys a range of antisemitic tropes," including "the coupling of the genocide charge with the deliberate killing of children, images of whom are ubiquitous on NGO, social media, and other platforms that charge Israel with genocide."

In other words, showing images of Palestinian children ripped apart by U.S.-made bombs launched by Israeli pilots is, in this view, an antisemitic act.

Most recently, Dr. Goda and a respected historian of Europe, Jeffrey Herf, wrote in The Washington Post that “the genocide accusation hurled against Israel draws on deep wells of fear and hatred” found in “radical interpretations of both Christianity and Islam.” It “has shifted opprobrium from Jews as a religious/ethnic group to the State of Israel, which it depicts as inherently evil.”

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What are the ramifications of this rift between genocide scholars and Holocaust historians? This is not merely a squabble within academe. The memory culture created in recent decades around the Holocaust encompasses much more than the genocide of the Jews. It has come to play a crucial role in politics, education and identity.

Museums dedicated to the Holocaust have served as models for representations of other genocides around the world. Insistence that the lessons of the Holocaust demand the promotion of tolerance, diversity, antiracism and support for migrants and refugees, not to mention human rights and international humanitarian law, is rooted in an understanding of the universal implications of this crime in the heart of Western civilization at the peak of modernity.

Discrediting genocide scholars who call out Israel’s genocide in Gaza as antisemitic threatens to erode the foundation of genocide studies: the ongoing need to define, prevent, punish and reconstruct the history of genocide. Suggesting that this endeavor is motivated instead by malign interests and sentiments — that it is driven by the very hatred and prejudice that was at the root of the Holocaust — is not only morally scandalous, it provides an opening for a politics of denialism and impunity as well.

By the same token, when those who have dedicated their careers to teaching and commemorating the Holocaust insist on ignoring or denying Israel’s genocidal actions in Gaza, they threaten to undermine everything that Holocaust scholarship and commemoration have stood for in the past several decades. That is, the dignity

of every human being, respect for the rule of law and the urgent need never to let inhumanity take over the hearts of people and steer the actions of nations in the name of security, national interest and sheer vengeance.



Saher Alghorra for The New York Times

What I fear is that in the aftermath of the Gaza genocide, it will no longer be possible to continue teaching and researching the Holocaust in the same manner we did before. Because the Holocaust has been so relentlessly invoked by the State of Israel and its defenders as a cover-up for the crimes of the I.D.F., the study and remembrance of the Holocaust could lose its claim to be concerned with universal justice and retreat into the same ethnic ghetto in which it began its life at the end of World War II — as a marginalized preoccupation by the remnants of a marginalized people, an ethnically specific event, before it succeeded, decades later, to find its rightful place as a lesson and a warning for humanity as a whole.

Just as worrisome is the prospect that the study of genocide as a whole will not survive the accusations of antisemitism, leaving us without the crucial community of scholars and international jurists to stand in the breach at a time when the rise

of intolerance, racial hatred, populism and authoritarianism is threatening the values that were at the core of these scholarly, cultural and political endeavors of the 20th century.

Perhaps the only light at the end of this very dark tunnel is the possibility that a new generation of Israelis will face their future without sheltering in the shadow of the Holocaust, even as they will have to bear the stain of the genocide in Gaza perpetrated in their name. Israel will have to learn to live without falling back on the Holocaust as justification for inhumanity. That, despite all the horrific suffering we are currently watching, is a valuable thing, and may, in the long run, help Israel face the future in a healthier, more rational and less fearful and violent manner.

This will do nothing to compensate for the staggering amount of death and suffering of Palestinians. But an Israel liberated from the overwhelming burden of the Holocaust may finally come to terms with the inescapable need for its seven million Jewish citizens to share the land with the seven million Palestinians living in Israel, Gaza and the West Bank in peace, equality and dignity. That will be the only just reckoning.

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